

Notes on Corruption in public sphere and its multiplier effect across the society (With a special reference to Orissa story)

Defining Corruption: The word ‘corruption’, which in common parlance means ‘Durniti’ or ‘Bhrashtachar’ or its popular English equivalents ‘embezzlement’ or ‘favoritism and nepotism’ on the part of a public servant is derived from Latin *corruptus*, which literally means ‘utterly broken’. Thus when we say, a machine or a computer programme has gone ‘corrupt’ it merely indicates that the said device can’t deliver the output it was designed to. Applying the same logic, when we say, a public servant or an administration is corrupt it ought to mean that the said public servant or the said administration can no longer deliver the services which they were obligated to, and is therefore in need of reform or replacement. Let’s be clear at the outset that we should concern ourselves about ‘corruption’ in public sphere, not simply because so much of tax-payer’s money has been misappropriated by this bureaucrat or that politician using his public office and authority, but more importantly, because the abuse of public money by a few renders our institutions of governance and delivery mechanisms mal-functional in the immediate run, and even completely dysfunctional in the long-run, giving rise thereby to divestment of the millions and billions of our tax-paying citizens of their legitimate rights and entitlements on one hand and a berserk state of all-out chaos and unrest in the society at large, on the other. It is therefore worth remembering a simple hypothesis that while corruption leads to misfeasance, misfeasance presupposes corruption, just as smoke presupposes fire.

Corruption in Judiciary: The very fact of corruption having engulfed the Indian public life all through is no longer a meaty matter of public discourse, but, one can say, an implicit but incontrovertible admission by the highest seat of country’s judiciary. As you know, on 17th September last a former Union Law Minister, Mr.Shanti Bhushan, an eminent lawyer himself, betted before the Chief Justice of Supreme Court that out of a list of 16 Chief Justices including the present incumbent who he knew personally, as many as 8 were corrupt, 6 honest and nothing definite could be said about the remaining 2. His faith in the statement so made was so impeccable that Mr.Bhushan dared the court to jail him, should he be held guilty of contempt of court. And as irony would have it, the Chief Justice was simply stunned into an inexplicable silence, conceding implicitly the charge of Mr.Bhushan. Thus when the ultimate saviour of the law of the land or what is in India famously called ‘Dharma’ is itself in doldrums, it is easily imaginable what sort of brinkmanship our nation has willy-nilly staggered into during 63 years of India’s independence. Under the circumstances, the welcome move, though a belated one, begun by the eminent lawyer Prashant Bhusan, by way of an online mass petition to Chief Justice of India for securing proper judiciary accountability deserves to be backed by the conscious citizenry from all over the country. The said petition dated 21 Sept 2010 reads inter alia, *“The fact that there is considerable corruption in the judiciary has been an open secret in this country for some time now. Unfortunately things have reached this pass because of the lack of any institutional mechanism to deal with complaints against judges of the higher judiciary, and the tendency of the judiciary to sweep cases of corruption under the carpet. ... The power of contempt of Court has often been used or threatened to be used to stifle the exposure of corruption (as in the Mid day case) or even outspoken criticism of the judiciary (as in Arundhati Roy’s case), or even a frank expression of opinion about the extent of corruption in the judiciary (as in the current case against Prashant Bhushan and Tehelka). All this has allowed the problem to fester and grow to alarming proportions. We strongly believe that the time has come to put in place an independent Constitutional body which can examine complaints against judges and take action against judges committing misconduct. This must be independent of the executive as well as the judiciary and must function transparently. The time has also come to amend the antiquated and colonial law of Contempt of Court, which allows the courts*

to punish people for what they call 'scandalizing the court', or 'lowering the authority of the court'. There is no reason for the court to be armed with such draconian powers which are supposedly for protecting the 'dignity of the court'. The dignity and reputation of the courts depend on the actions and behaviour of their judges and cannot be affected by the allegations of disgruntled litigants. This law is merely serving to prevent exposure of corruption in the judiciary and to prevent a frank discussion of the nature and extent of the problem, which is the essential prerequisite for any reform. We therefore call upon the Judiciary to immediately initiate wide public consultations for the reforms necessary to secure proper judicial accountability and urgently put in place the statutory and Constitutional amendments required for the purpose".

Disclosure by CVC Chairman: CVC The present scenario of public life in India is best epitomized by none else than the chief of the country's apex watchdog body CVC (Central Vigilance Commission) Mr.Pratyush Sinha just on the morrow of his superannuation. What Mr.Sinha confessed on 9th Sept. last is but a damning indictment and a wake-up call for the entire country. The outgoing boss of CVC declared outright that every third Indian is "utterly corrupt", about 20% of Indians are 'steadfastly honest' even in the face of temptations because they have a 'conscience' and more than 50% are corrupt on the 'borderline'. It is worth perusing Mr.Sinha's confession in extenso since it resonates well with the hunch of most of the country's perceptive intelligentsia who have been thinking aloud on kindred matters. Sinha said the worst part of his "thankless job" was observing how corruption had increased with people becoming more materialistic."When we were growing up, I remember if somebody was corrupt, they were generally looked down upon, There was some social stigma attached to it. That is gone. So there is greater social acceptance. Despite the rise of whistleblowers, an assertive press and the right-to-information legislation, too many in India care more about wealth than honesty. If someone has a lot of money, he is respectable. No one questions the means. India's slow courts, lengthy appeal processes and liberal bail policies meant that only 4% of those convicted for corruption served a jail sentence".

Recent Scandals: In parenthesis it may be said that Mr.Sinha's comments reinforce concerns expressed by Transparency International, which of late ranked India close to African countries such as Rwanda in the Corruption Perception Index. Its surveys in India revealed a high scale of political corruption among the ordinary people. The global anti-graft body has put India on the 84th position on its Corruption Perception Index with a 3.4-point rating, out of a best possible score of 10. It said that each year millions of poor Indian families have to bribe officials for access to basic public services. The TI's claim finds a ready corroboration in recent corruption scandals that surfaced in India i.e. dubious contracts for the construction projects for the Commonwealth Games, overt acts of bungling by the IPL Chairman Mr.Lalit Modi, Satyam Scam of Ramalinga Raju, naked abuse of public office by a Union Minister of State Mr.Shashi Tharoor to favour his lady love, numerous mining scams in Orissa, Spectrum Scandal involving the Union Telecommunication Minister A.Raja and above all exposure of India as a hotbed of illegal betting syndicates, with gamblers and bookmakers involved in 'spot-fixing'.

Madhu Koda Phenomenon: Very recently, the whole nation got simply awestruck at the exposure of a classic rags-to-riches story of 39 year old Madhu Koda the former CM of Jharkhand during 2006-2008 and currently behind bars since October 2009 on the charge of laundering money worth over Rs. 4000 crores. It also brought to light the embarrassing truth of how the entire politico-administrative-judicial system sanctioned by the Constitution and backed by an elaborate machinery for supervision, enforcement and penalisation of any deviant behaviour enabled a fraudster to achieve a meteoric success in carving a massive political and financial empire for himself in a record time and that too at the expense of thousands of crores of rupees of the public exchequer. To start with Mr.Koda, son of a tribal farmer, was working as a mines labourer in early

90s at a meagre daily wage of Rs20 and paise 50; then he joined BJP in 1994 and managed a party ticket and won the Assembly elections in 2000 as an MLA. From then on until Oct 2009 when he was arrested he went on amassing wealth at an electronic speed. On his arrest his assets were subject to nationwide raids by the Enforcement Directorate, GoI. It was found that his assets valued almost a fifth of the annual budget of Jharkhand and included hotels and three companies in Mumbai, property in Kolkata, a hotel in Thailand, and a coal mine in Liberia besides US \$1.3 billion. In the probes it was also discovered that Maoists received a 30% share of the 'Koda plunder'. This alleged scam is said to be the second-largest scam uncovered in India in 2009, next only to the shares scam of Harshad Mehta, the big bull of mid-90s. The case of Madhu Koda merely indicates that the present system has produced so many Madhu Kodas, who are still at large albeit as chhupa rustams.

Mess around CWG: Perhaps there is no more persuasive demonstration of how the uncontrollable, cancerous malaise of corruption coupled with gross misfeasance has gripped the top-notch elite of our system than the much maligned prelude to the 19th Commonwealth Games that is being incidentally inaugurated today at New Delhi. Though India had bagged the bid for hosting this mega international event 7 years back, every iota of its ground preparation was left to the eleventh hour. Not to talk of the dubious contracts awarded to substandard dealers including some bogus ones, which were exposed serially by country's two statutory watchdog bodies CAG and CVC during the last year, a series of real mishaps struck in quick succession bringing 'national shame' to India during the preceding month- firing on two foreign nationals near Jama Masjid on account of security lapse, collapse of foot over-bridge near JN Stadium injuring 27 laborers, fall of the false ceiling in the weightlifting venue, filthy and unlivable conditions and incomplete constructions in Games Village and so on and so forth. Just a few instances of the naked loot of public money in the name of CWG shall suffice to illustrate the scale of financial bungling involved- toilet paper rolls valued at \$2 each were purchased at \$80, \$2 soap dispensers at \$60, \$98 mirrors at \$220, \$11,830 altitude training simulators at \$250,190. The funniest deal was the hire of treadmills each at the rate of Rs.9,75,000/- only for 45 days, while its sale price would have cost about Rs.7 lakh only. Add to that the hire charge of a single chair being Rs.8,378/- and that of a refrigerator Rs.42,202/- (*Vide Story in ToI, 2nd August 2010 under the caption 'CWG corruption gets murkier, treadmill hired for Rs.10 lakh'*)

Patriotism, the last refuge of Scoundrels: Corruption and mess in CWG preparations were so glaring that it upset and provoked a senior member of the ruling Congress and former Union Minister of Youth and Sports Mr.Mani Shankar Aiyar to say that instead of squandering away the public money so carelessly the Government could have utilized it for "*ensuring a better sporting future for Indian children by providing them sports training*". But the CWG Organising Committee Chairman Mr.Suresh Kalmadi immediately retorted by labeling Mr.Aiyar as "anti national". However, Kalmadi's strident remark received extensive criticism in Indian media with Rajesh Kalra, a chief editor at the Times of India eliciting Samuel Johnson's quote "Patriotism is the last refuge of all scoundrels" and saying "how the taxpayer is being milked in the name of the games is repulsive". (*Story in ToI, 11 August 2010 under the caption "'Patriotism is the last refuge of scoundrels' is no longer a mere quote"*). It is still surprising, not only Mr.Kalmadi, but also Delhi CM Ms.Sheila Dixit, Union Sports Minister Mr.M.S.Gill and General Secretary OC Mr.Lalit Bhanot- all have become aggressively self-defensive and unapologetic in the face of any criticism made about preparations for CWG. It seems, corruption, misfeasance, false bravado and vengeance have all struck an unholy nexus at the apex level- a phenomenon that bodes ill for the future of the nation.

Another pertinent question that strikes a common Indian- why the top leaders and top bureaucrats of the country don't show the same kind of round-the-clock concern as in respect of CWG in sorting out the mess at ground level often noticed during calamities like floods, communal riots or cholera deaths that hurt the common man. Is it not a matter of 'national shame' that the people suffer en masse in an otherwise avoidable calamity like cholera epidemic in this tech-rich 21st century simply due to utter apathy and callousness of our netas and babus?

Vohra Committee Report: That there also exists an impeccable but often invisible nexus among criminals, politicians and bureaucrats in India was succinctly established by the Vohra Committee Report submitted in October 1993, commissioned by none else than Supreme Court of India. It in sum pointed out how the existing criminal justice system failed to, rather subserved the nexus between the criminal gangs, police, bureaucracy and politicians. The unpublished annexures to the Vohra Report were believed to contain highly explosive material relating to such nexus. In 1997 the Supreme Court recommended the appointment of a high level committee to ensure in-depth investigation into the findings of the N N Vohra Committee and to secure prosecution of those involved. But the nation still awaits with a baited breath the publication of that unpublished annexure, not to talk of prosecution of the alleged persons.

Hawala Scam: Another concurrent scandal that had rocked the nation in 90s was the Hawala scam that involved payments allegedly received by politicians through hawala brokers, the Jain brothers. It was a US\$18 million bribery scandal that implicated some of the country's leading politicians like L. K. Advani, V. C. Shukla, P. Shiv Shankar, Sharad Yadav, Balram Jakhar and Madan Lal Khurana and as many as 115 top bureaucrats. The scam did also reveal alleged connections with payments being channelled to Hizbul Mujahideen militants in Kashmir. The case got a momentary boost up as a result of a PIL filed in the Supreme Court by a bold journalist Vineet Narain in 1996 (Case of Vineet Narain vs. Union of India 1996). In 1996 for the first time in Indian history, several cabinet ministers, chief ministers and governors were charge-sheeted. However, many were acquitted in 1997 and 1998, partly because the hawala records (Jain diaries) were judged in court to be inadequate as the main evidence. The faltering and failure of the prosecution by the Central Bureau of Investigation was also responsible for withering away of the case. Though several landmark judgments were passed by the apex court in connection with this case, nothing substantial was achieved except the publication of a celebrated book *Hawala ke Deshdrohi* or *Dangerous Silence* by Mr.Narain.

Charge-sheeted IAS & IPS Officers: The glaring failure by the prosecution and courts in nabbing the corrupt bureaucrats, as noticed repeatedly in various cases, has emboldened their fraternity to indulge without any scruple in all sorts of dubious deals. As regards their burgeoning numbers- in a written reply to a question in the Rajya Sabha, Minister of State in charge of the Department of Personnel and Training Mr.Prithviraj Chavan said, "As on March 31, 2010, the number of IAS and IPS officers facing trial for criminal charges in CBI cases is 84 and 33 for the two respective categories." This is despite the fact that India has an impressive array of anti-corruption watchdog bodies that include CVC, CAG, CBI, RAW, Intelligence Bureau, Economic Intelligence Bureau, Narcotic Control Bureau, Serious Fraud Office, Securities and Exchange Board of India, Reserve Bank of India, Defence Intelligence Agency, National Security Board besides Parliamentary Standing Committees and a ridiculously excessive number of regulators in addition to State-level agencies.

Food grains rotting in FCI Godowns: The PDS (Public Distribution System) had been designed with a double obligation entrusted to the State i.e. to pay remunerative prices to the farmers while procuring food grains from them, and to provide food grains to the poor families at subsidized rates.

But this welfarist promise has gone atrophied as evident from the ever rising figures of hungry on one hand and increasing pauperization and even suicides among the farmers on the other. According to a recent estimate by the World Food Program, a quarter of the world's hungry live in India. India ranks 66th in the world in battling hunger. Over 20 crore people of India are hungry. Moreover, according to NSS consumer expenditure data, 74.5 per cent of rural persons could not reach 2400 calories daily intake in 1993-94 whereas the percentage had reached an unprecedented high of 87 per cent by 2004- 2005. On the other hand, the Union Minister of Food and Agriculture Mr. Sharad Pawar admitted in the parliament last July that more than 11,700 tonnes of rice and wheat amounting to Rs.6.86 crore were found damaged in storage facilities of the Food Corporation of India (FCI). However, in contradiction to Mr. Pawar's statement, the official response to RTI query filed by of Mr. Dev Ashish Bhattacharya had revealed that more than the scale of damage was a lot higher. During ten years between 1997 and 2007, more than 10 lakh tonnes of food grains including rice, wheat, paddy and maize were damaged in FCI godowns. This fact was reminiscent of the scene ten years ago when the Chief Minister of Rajasthan complained to the Union Minister for Consumer Affairs and Public Distribution that lakhs of tonnes of grains were rotting in the FIC godowns and were allegedly going to be dumped in the sea to make space for the next crop. At a time when food prices are sky-rocketing and thousands of families living below poverty line are struggling to get two square meals a day, such colossal wastage of food grains, simply due to neglect and lack of storage is simply criminal.

In 2007 the Supreme Court appointed a committee, headed by former SC judge Justice DP Wadhwa, to do a reality check on the mechanism of Public Distribution System (PDS), and the Committee had described it as "inefficient and corrupt" plagued by black marketing and unofficially run by a "vicious cartel of bureaucrats, fair price shop owners and middlemen". In its report the committee said the Rs 28,000 crore subsidy annually spent by the government was pocketed by the vested interests and suggested stern action to stem the rot.

In course of hearing a PIL filed by the PUCL on the rampant corruption in public distribution system (PDS) coupled with rotting of food grains in FCI godowns even though thousands are going without food in the country, a joint Bench of the apex court on 13 August 2010 told the government, "In a country where admittedly people are starving, it is a crime to waste even a single grain.. . Give it to the hungry poor instead of it (grains) going down the drain". But unfortunately, Mr.Pawar didn't carry out this directive of the Supreme Court giving the excuse that it was a suggestion, not an order.

However, on 31st August 2010 the Supreme Court of India asserted that it was their order, not a suggestion as made out by Union Agricultural Minister Sharad Pawar. Besides the bench reiterated its earlier order that the persons above the poverty line shall not be entitled to subsidised foodgrains, but if the government was determined to extend the benefit, the same shall be given to those families whose annual income is below Rs. 3 lakh.

But it is strange that both Mr.Pawar and PM Dr.Manmohan Singh reacted unkindly to the above order of the Supreme Court, dubbing the apex court order for free distribution of food grains as impractical to implement. And Dr.Singh went a step further admonishing the apex court "not to get into the realm of policy formulation". (*Vide the Story in Hindu 6 Sept 2010 under the caption 'No intention of confronting Court on food grains issue: Centre'*). Though the Govt of India took some immediate measures under the unavoidable pressure created by the categorical order of the apex court buttressed by the constant media watch on the issue, the whole episode exposes a deeply ingrained retrogressive mindset typical of colonial rulers, still persisting among the top political leadership of the country.

Jungle of BPL Statistics: The PDS dispensation has been rendered intractably complex and complicated by the lack of uniformity of data relating to BPL population in the country. As per NC Saxena Committee set up by the Supreme Court, the BPL population counts more than 50 % of total population as against Planning Commission's 28.3%, while the Arjun Sengupta Committee set up by GoI estimate the BPL population to be more than 77% of the total on the yardstick of each such family earning less than Rs.20/- per day. Then again, Tendulkar Committee set up by the Planning Commission itself put this figure at 37.2% (41.8 in rural area and 25.7 in urban area). In view of the bare fact that all these Reports emanate from the agencies of the state, the discordance between them should first all be sorted out before any meaningful dispensation for food security for the poor is designed afresh.

Food Security Bill, another mirage: Another perturbing facet of the Government's treatment of BPL issues has come to light from the confidential letter dated 4 June 2009 the Food Minister Mr. Sharad Pawar wrote to various StateUTs of the country in the form of a Concept Paper around the proposed Food Security Bill. As per its admission, there are already 10.68 crore BPL cards in circulation in place of the appropriate number i.e. 5.91 crore; all the State Governments are habitual violators of the norms of the BPL card distribution issued by the Centre; and no State Government is prepared to show a reduction in BPL numbers. It is simply a common sense that unless and until these base discrepancies are sorted out between the Centre and States, the enactment of the proposed Food Security Bill shall run into troubled waters, wherefrom the vested interests within and outside the Government shall continue to fish to their fill pushing thereby the actual poor to further miseries.

Poorest Orissa: As per the Govt of India's Economic Survey for 2007-08, the incidence of poverty in Orissa is still the highest in the country. While 40% of the state's population lives below the poverty line, the poverty reduction rate has been very slow. Rural poverty in the state was one of the highest with a large portion of the Scheduled tribe and caste population in western and southern Orissa still living in a precarious condition, with a very low economic base. The per capita income of the state, as per the 1993-94 price index, stood at Rs 5,747 against the national average of Rs 11,013. The average monthly per capita consumer expenditure was Rs 399 in rural areas and Rs 757 in urban areas, compared with Rs 558 and Rs 1,052 at the national level, respectively. One of the key human development indicators, the infant mortality rate (IMR), was at 73 per 1,000 live births, which is still higher than the national average of 57. (*Vide the story 'Poverty reduction rate in Orissa still very slow: Eco Survey', The Financial Express, 18 Feb 2008*)

Paradox of Poverty amidst Plenty: In a seminal report, 6th State of India's Environment Report released in July 2008 under the caption 'Rich Lands, Poor People' its author Centre for Science and Environment, New Delhi laments that though Orissa accounts for 7 per cent of India's forests and 11 per cent of its surface water resources, and holds 24 per cent of India's coal, 98 per cent of its chromite and 51 per cent of its bauxite, it however for all its mineral wealth, performs very poorly in terms of human development indicators. The state has a Human Development Index (HDI) of 0.404 worse than that of Kerala, Tamil Nadu, Andhra Pradesh or West Bengal. The CSE report further pointed out that Orissa's per capita income has actually declined during the second half of the 1990s, precisely the period when the state went on an industrial overdrive.

Menace of Mining: The CSE Report presents a shocking picture of the devastation that has been wrought by mining across the country, that is relevant to Orissa too. It is as follows:

- Between 1950 and 1991, mining displaced about 2.6 million people, out of which not even 25 per cent were rehabilitated. About 52 per cent of these displaced were tribals.

- For every 1 per cent that mining contributes to India's GDP, it displaces 3-4 times more people than other development projects put together.
- Diversion of Forest land for mining has been going up along with pollution of water and air pollution in the mining hotspots. An estimated 1.64 lakh hectare of forest land has already been diverted for mining in the country. Iron ore mining in India used up 77 million tonne of water in 2005-06, enough to meet the daily water needs of more than 3 million people.
- Mining of major minerals generated about 1.84 billion tons of waste alone in 2006, most of which has not been disposed of properly.

All governments justify mining arguing that the sector will provide employment, but this is a chimera. The report using government data shows how employment has fallen in the mining sector as a whole. The fact is that the modern mining industry does not require people. Between 1999 and 2005, the value of mineral production in the state increased three-fold – at the same time, employment reduced by 20 per cent. In fact, says, Chandra Bhushan, CSE's associate director and the coordinator and co-author of the report, "Modern industrial growth requires resources of the region- minerals, water or energy. It does not require people. In other words, it does not necessarily provide local benefits. If it provides employment benefits, it is outside the poor region in which it is based. In other words, inclusive growth will require ways to value local resources — be it water, minerals or energy — so that it gives back more than it takes. The mineral industry degrades the land, uses local water, but does little to return back wealth. Worse, the royalty on minerals goes to state exchequers, not to local communities. This will have to change."

Impact of Mining on Orissa: All the mineral-rich districts of the Orissa feature in the list of 150 most backward districts of the country. In Keonjhar, the most mined district in the state, 62 per cent of the population lives below poverty line. In Koraput, the bauxite capital of India, 79 per cent live below poverty line. Statistics indicate that the income from mineral extraction rarely benefits the regions from where these minerals are sourced. In fact, poverty is increasing in many of these districts.

As per the CSE Report Orissa has the dubious distinction of clearing the maximum amount of forest land for mining in the country: Of total forest land cleared for mining in India, Orissa accounts for 17 per cent. The state's water resources are as stressed, contrary to the belief that Orissa is water-surplus. The state's hilly terrains, with their natural springs, are being destroyed by mining. Orissa's second largest river, the Brahmani, is one of the 10 most polluted rivers in India , "due to the large-scale mining operations on its banks". The state's 6 million strong tribal population has borne the brunt of the environmental hazards of mining. Moreover, mining has displaced about 500,000 people (mostly tribals) in the state.

Orissa's Mining Scandals in the past: That the mining has been a source of corruption for two well known Chief Ministers of Orissa Biju Patnaik and H.K.Mahtab has been established by two Judicial Commissions of Enquiry established respectively against them, namely Khanna Commission (1967) and Sarjoo Prasad Commission (1971). In between another Fact-finding Judicial Probe was also set up under the chairmanship of Justice Mudholkar to find out any prima facie evidence of corruption against all those who served as Chief Ministers during 1948-1961. And all these bodies had found ample evidence of corruption against Mr.Patnaik and Dr.Mahtab mainly involving illegal deals with mining houses. It is however worth quoting a perceptive observation by Justice Khanna, which answers even today the perennial question why Orissa is the poorest and most backward- "Despite its rich history and despite its natural resources, Orissa is one of the

poorest States in the Country. The State has sometimes been described as a hapless Cinderella of modern India.....". Needless to deal with the cases of corruption alleged against another long serving Chief Minister Mr.J.B.Patnaik, himself a close relation of a mining house, who was virtually forced to quit the office of CM under the mounting pressure of a strident agitation directed against a long list of his misdeeds including abject corruption around mining and many other matters.

MoU Mania: Beginning from 2003 and by 7th Feb. 2009 the Government of Orissa has signed a total of 76 MoUs (49 on steel, 4 on Aluminum, 3 on Cement, 21 on Power, 1 on Auto industry , 1 on Titanium Complex and 1 on Crude Oil Processing) involving an investment to the tune of Rs.3,50,356.25 crore (*Vide the Website of Team Orissa <http://www.teamorissa.org/MOU.asp>*). Apparently, this projects industrially backward Orissa as set on a strident course of industrialization irrespective of the cost-benefit dimension of the envisaged projects. While the State Government is over-zealous in advertising with much fanfare the long list of MoUs that it has inked with high profile industrial houses of country and abroad, there is, pitifully enough, no single official source from where one can get a comprehensive chart of information as to the actual progress made in respect of the individual MoUs. That there is some hidden agenda behind the signing of so many MoUs without any tangible beneficial impact felt on the ground is more reinforced by the kind of 'by hook or crook' or 'come what may' approach shown by the Government of Orissa towards two of the planned mega projects i.e A Steel Plant and a Marine Port by POSCO in Erasama and Vedanta Aluminum in Niyamgiri Hills at Lanjigarh. It is not simply understandable as to why the State Government is so hell bent on these two projects, especially when the overwhelming bulk of local people in each case have been steadfastly resisting the State Government's idea displacing them and disturbing their centuries old ecosystem just for the super-profits of some corporate houses. In case of Vedanta Aluminum, even if the Centre has withdrawn its conditional clearance from the Vedanta's proposal of bauxite-mining of Niyamgiri Hills, it is for some mysterious reasons that the State Government is still trying to maneuver a way out for fulfilling its assurance to Vedanta.

POSCO Project : In case of POSCO project, as everybody knows, the local people who are mostly farmers, fishers and orchard growers and have been eking their livelihood since time immemorial off the fertile land, casurina forests and Jatadhari creek are emotionally resistant to the idea of takeover of their land, waters and forests to make room for the South Korean POSCO project to come up. Since the day one of the signing of MoU with POSCO back in 2005, they have shown themselves in 'a die or do' mode to resist POSCO. Under the mounting pressure of people's anti-POSCO agitation, one NC Saxena Committee came recently for an on-the-spot verification of the project site and declared the Sate Government's effort to grab forest land for the project a blatant violation of the Forest Rights Act 2006. Hardly the ink of the Saxena Report had dried up, when curiously enough came another Centre-commissioned Committee led by Ms.Meena Gupta, who did also interacted with the local population besides the visit to the project site. Its report is yet to be made public. However, a very pertinent question arises on point of law- While the 1964 Rule made under Land Acquisition Act 1894, notwithstanding its colonial leitmotif, forbids outright the acquisition by the State of any cultivable agricultural land for the purposes of a private company, why should the State of Orissa flex its muscles so nefariously before the protesting public just to please a foreign corporate house? More importantly, when the protesting people are not biased against the POSCO project as such, but agreeable to it provided it is shifted to any alternative site, namely Hukitola bay in Kendrapara district or a few miles westwards away from Jatadhari mouth along the Jatadhari creek.

Corruption and cholera death: That there is a strong linkage between corruption in Government schemes and cholera deaths in Orissa was very convincingly argued out by Mr.Parshuram Rai, Director Centre for Environment and Food Security (CEFS), a Delhi- based NGO, in his poignant letter dated 3rd Sept 2007 shot to Prime Minister in the wake of outbreak of cholera epidemic in KBK region of Orissa. Mr.Rai was the person who had conducted the first ever first-hand survey of implementation of NREGA in sample 100 villages of Orissa and found that “*out of Rs.733 crore spent under NREGS during 2006-7, over Rs 500 crore has been siphoned off and misappropriated by the government officials of executing agencies. Moreover, as against the claims of Orissa Government that no needy household in 19 NREGA districts of the state was denied wage employment and each needy household was given an average 57 days of wage employment under NREGS, CEFS study has revealed that a large number of needy households were denied not only jobs but even job cards, and not more than 5 days of average wage employment has been given to each needy family in these 19 NREGA districts. We have found that more than 75 per cent of the NREGA funds spent during last year have been siphoned off. However, we are absolutely certain that there are thousands of villages in Orissa where scale of misappropriation is 80-90 per cent. It is distressing to note that there has been open and participatory loot of NREGS funds in Orissa. We have reasons to believe that the entire state administration is party to this loot*”.

In the above said letter to PM Mr.Rai begs the question and answers thus: “***Is there any linkage between misappropriation of Rs500 crore of NREGA funds and cholera deaths of 500 Adivasis in Orissa? On the surface, the link is tenuous. Scratch a little deeper and the linkage is direct. To put Rs 500 crore of siphoned NREGA fund in perspective , this amount of money would have given about 90 days of wage employment to about 10 lakh poor families of Orissa. In other words, each of these 10 lakh poorest families would have got Rs 5000 as wages. This amount of Rs 5000 in the context of these poor and hungry families would have given 4-6 months of two subsistence meals or one meal for the whole year. Therefore, it is not just another financial scam, predatory bureaucracy of Orissa has robbed 10 lakh hungry families' one meal for the whole year. Who is real killer of Orissa's Adivasis ?***”

Total Sanitation Campaign: With a view to ensure adequate availability of drinking water and proper sanitation, the Central Rural Sanitation Programme had been launched in 1986. But based upon a comprehensive survey conducted in 1996-97, the said programme was revamped as Total Sanitation Campaign with a community led and people centred strategy and the main objectives of TSC were declared to be as follows:

- Bring about an improvement in the general quality of life in the rural areas;
- Accelerate sanitation coverage in rural areas to access to toilets to all by 2012;
- Motivate communities and PRIs promoting sustainable sanitation facilities through awareness creation and health education;
- In rural areas, cover schools by March 2008 and Anganwadis by March 2009, with sanitation facilities and promote hygiene education and sanitary habits among students;
- Encourage cost effective and appropriate technologies for ecologically safe and sustainable sanitation; and
- Develop community managed environmental sanitation systems focusing on solid & liquid waste management.

The following were the components of TSC strategy-

- i) Start-up activities- survey, project planning and training to key programme managers, the cost of which shall be borne entirely by GoI;
- ii) IEC activities to create motivation among the rural people, funding of which was to be shared by Centre and State on 80 : 20 basis;

- iii) Setting up Rural Sanitary Marts and Production Centres to supply the materials, hardware and designs required for the sanitary facilities to be provided, and to be operated by NGOs/SHGs/ Panchayats/ Women Organisations, each at a maximum cost of Rs.3.5 lakh, and funding to be shared on 80:20 basis;
- iv) Provision of Revolving Fund to District TSC project @ Rs.50,000/-, to be placed at Cooperative Societies or SHGs to help the individual households avail easy loans for installing sanitary latrines;
- v) Construction of individual sanitary latrines to be funded on a shared basis between Centre, State and Household;
- vi) Setting up Community Sanitary Complexes at a maximum cost of Rs.2 lakh per Complex, to be maintained by Gram Panchayat to be shared between Centre, State and Community on 60:20:20 basis;
- vii) Setting up Institutional Toilets at Schools and Anganwadis to change the behaviour, habit and mindset of the children from open defecation to the use of toilets, at the cost of maximum Rs.20,000/- to be shared on 70:30 basis between the Centre and State in case of a School, and at the maximum cost of Rs.5,000/- to be shared on 3:2 basis between Centre and State in case of an Anganwadi;
- viii) Solid and Liquid Waste Management to be looked after by Panchayat, and its project cost to be shared on 60:20:20: basis between Centre, State and Panchayat.

As per the data base maintained under Online Progress Monitoring System of Total Sanitation Campaign conducted by Dept of Drinking Water and Sanitation, Ministry of Rural Development, Govt of India, during the period from 2003-04 upto the end of August 2010, a combined sum comprising the shares of Centre, State and Beneficiaries to the tune of Rs. 54567.20 lakh (545 crore 67 lakh 20 thousand has been released, out of which only Rs. 38205.71 lakh (382 crore 5 lakh and 71 thousand) could be spent. It means that as much as Rs.1636149 lakh (163 crore 61 lakh 49 thousand) i.e. nearly 30% could not be spent. While an administration is unable to spend the released money, how can it be believed to have spent the utilized money properly to further the cause of Total Sanitation Campaign?

Failure to Utilise sanitation Grant: The following Table gives an idea about the financial position of TSC in respect of tribal and backward districts of Orissa during the period 2003-04 to end of August 2010-

District	Released (Rs in lakh)	Utilised (Rs in lakh)	Utilised (%)
Gajapati	1056.10	751.34	71.14%
Kalahandi	1731.76	1476.51	85.26%
Kandhamal	1036.09	809.58	78.13%
Kendujhar	2206.08	1630.30	73.90%
Koraput	2234.80	1631.43	73%
Malkangiri	1298.05	1032.65	79.55%
Mayurbhanj	3743.97	2769.25	74%
Nabarangpur	1028.36	727.83	77.77%
Nuapada	912.54	780.61	85.54%
Rayagada	1061.48	788.30	74.26%
Sundargarh	2872.87	1907.45	66.40%

The above table shows that the State Government has not been able to utilize the released money for TSC in any of the tribal and backward district of the State, where regular incidence of cholera is endemic in monsoons. Moreover, in absence of any social audit involving independent civil society

activists, it is too hard to believe that money shown as utilized on pen and paper has really been used for improving the sanitary profile of the rural areas as envisaged. As a matter of fact, the National Scheme Sanctioning Committee is chaired by a senior bureaucrat Secretary Dept of Rural Drinking Water Supply, GoI and there is no grievance redressal mechanism at any level under the Scheme. The present practice of getting the TSC progress inspected by the Government officials, TSC performance evaluated by the personnel engaged by the State Government and TSC accounts audited by Chartered Accounts engaged by District authorities doesn't allow any occurrence of misfeasance or misappropriation to leak out from the bureaucratic cage.

Cholera deaths and governance failure: As a result the inevitable happened. The empirical evidences suggest complete failure of the much hyped Total Sanitary Campaign. In his article 'Ailing Orissa' in Frontline (Vol.27, Issue 20, Sept 25-Oct 8, 2010) the journalist Mr.Prafulla Das ascribes the recurrent spurt of cholera deaths in KBK region to such visible lapses on the part of the administration as contaminated water sources, virtual absence of health care system, prolonged vacancy in the large number of posts of doctors and para-medicos, and moreover lack of disaster preparedness on the part of Government. To cap it all, the ruling politicians and bureaucrats lacked an iota of concern to save the patients from dying en masse. Otherwise, how is it that the sporadic cases of diarrhea that initially erupted in early July went on steadily multiplying and assumed the proportions of an epidemic spread across several districts like Rayagada, Kalahandi, Nuapada, Koraput, Nabarangpur, Malkangiri, Gajapati and Keonjhar. The epidemic still stares in face a vast bulk of tribal and rural population of Orissa with the thick-skinned politicians and bureaucrats caring a fig for it. On the country the entire officialdom remained during all these months aggressively focused on a single-point agenda as to how to minimize the casualty figures and downplay the havoc caused by the epidemic. Mr.Das quotes Mr.Chambru Soren, Organising Secretary of Orissa Adivasi Mahasabha that staged a demonstration at State Capital to protest against the government's failure to contain the spread of cholera, according to which more than 2,000 people had died of diarrhoea in the State in the past five years.

Naxalism/Maoism AP Story- Quite some circles within and outside the Government adduce to the success of Andhra Pradesh Government as an example worth emulating by other States on how to eliminate by strict policing the Maoist insurgency, which the Prime Minister famously described since a few years ago as India's biggest internal security threat. But an exclusive survey of the once Maoist-dominated districts of the [Telengana](#) region, recently commissioned by The Times of [India](#) has found that "the state may have won the battle of the guns, but the Maoists are clearly ahead in the perception game". "Almost 60% said the Naxalites were good for the area and only 34% felt life had improved since they were beaten back". "As for whether exploitation has increased after the Naxalite influence waned, 48% said it had against 38% who said it hadn't, the rest offering no opinion". A clear 58% majority of those polled said "Naxalism had actually been good for their area". "Two-thirds also say that the Maoists are right in choosing the methods" to highlight the neglect. Another revelation that emerged from the TOI opinion survey was the response to the question "whether the characterization of the Naxals as extortionists and mafia was accurate. Two-thirds disagreed. An elaboration of this came in response to a slightly more open-ended question. Over half said the Naxalites worked for the good of the area, another one-third said they had the right intentions but the wrong means. Only 15% were willing to describe them as just goondas". "Equally importantly, 50% of the respondents felt the Naxalites had forced the government to focus on development work in the affected areas". Therefore the pollsters concluded, "Given these findings it is hardly surprising that killings by Maoists are looked upon more leniently than those by the government and that the state's claims about encounters are viewed with extreme suspicion. The government may say, and with some justification, that the Maoists represent the biggest threat to India's internal security, but what this poll shows is that the aam admi in these parts views

government apathy as the biggest threat to his wellbeing”. The surveyors therefore don’t dismiss the possibility of resurgence of Maoist insurgency in the regions where it seems to have vanished albeit temporarily. (*Vide the Story in ToI, 28 Sept 2010, ‘58% in AP say Naxalism is good, finds TOI poll’*)

Planning Commission’s Expert Committee on Maoism: That the growing spread of Maoist insurgency is a cumulative result by default of the way our State apparatus has been misgoverned was explicitly admitted by the Expert Group of the Planning Commission set up at the behest of the PM, in their well known Report “Development Challenges in Extremist affected Areas” (2008). In its Epilogue (at Para-6.2), the Report admits, “There is no denying that what goes in the name of “naxalism” is to a large extent a product of collective failure to assure to different segments of society their basic entitlements under the Constitution and other protective legislation”. By way of recipe, the Report, jettisoning a law and order approach towards meeting the Maoist insurgency, fervently pleaded for an energetic and synergetic efforts on the part of all the agencies of the State to work towards ensuring the basic entitlements and protection to the citizens at large, and especially those marginalized and disadvantaged sections of society who have not yet tasted the genuine benefits of a State based upon rule of law. The Report at Para 5.7.10 issued a caveat against reckless counter-violence often resorted to by the enforcement authorities dealing with Maoists, “While condemning occasional bursts of wanton violence by the extremist groups, a government constituted by law and mandated to maintain rule of law can not commit any illegal act in countering rural extremism. Government should strictly prohibit extra judicial killings by its security forces. Such acts of illegality by the authorities tend to legitimize extremist violence in the eyes of millions of non-committed on-lookers”. And it continued, “Security forces should undergo rigorous training not only on humane tactics of controlling rural violence but also on the constitutional obligations of the state to protect the Fundamental Rights, including human rights, of Indian citizens and implications and implementation of progressive laws in favour of the poor. Excepting casualties suffered by both sides in actual fire fights, there should be no killings, either by the security forces or any vigilante groups, covertly or overtly sponsored and supported by the Government. Every such killing should be followed by a judicial enquiry to reinforce the faith of the ordinary masses in the rule of law (Para 5.7.11). And its advice to all the Governments of the country was equally spacious, “Both the central and the state governments should have an open mind about having peace talks with Naxalites without any prior conditionality. (Para 5.7.14)

NCRWC on failure of governance: Further back, the Report of the National Commission to Review the Working of the Constitution (2002) had echoed a similar resonance in saying, “The following characterizes the nature of the contemporary Indian State:

“- The crucial failure is the innate resistance in governments and governmental processes to the fundamental article of democracy, viz. that all power and all authority flows from the people and that all public institutions are meant solely to serve the public interest.

- From this fundamental breach of the constitutional faith flow almost all our present ills. The first and the foremost need is to place the citizens of this country at center-stage and demonstrate this prioritization in all manifestation of governance;

- Citizens see their government "beseiged by uncontrollable events and are losing faith with institutions. Society is unable to cope with current events". (Para 2.12 Report of NCRWC, 2002)

NCRWC on extra-legal systems: As a result, the Commission rued, “It is a sad fact that needlessly harsh, lugubrious, unimaginative and indifferent administration has pushed the poor to the wall. Pervasive corruption, inefficiency and insensitivity – particularly in the distribution of public goods – has resulted in the burgeoning of ‘extra-legal’ systems. These "extra-legal systems", says an economist, "constitute the most important rebellion against the status-quo in the history of

developing countries since their independence. . . . *Crisis of leadership, corruption, insensitivity and inefficiency of administration have resulted in extra-legal systems and parallel economies and even parallel governments. Bureaucratic pettifoggeries which cause frustration in people in their daily life has a more serious fallout of pushing more and more people into extralegal systems.* (Para 2.5.1) In sum, until and unless the legal system delivers the good as it should, the common people shall keep on resorting to extra-legal methods, be it in the shape of bribery or theft of public wealth or alternatively be it in the shape of supporting Maoist insurgency, aiming at milking the system as much to their advantage. Further, as to the moot question, where should the reform begin, the Report continued, *“The permanent civil service is another gargantuan structure. The salaries, perquisites and the other benefits of office are so heavy that very little is left out of the revenues towards social infrastructure, social security, health, and education and other needs of the society. The financial allocations for health, education and social security in terms of percentage of the GDP is dismally low. . . . The executive has failed to afford reassurances to the citizenry of prompt reasonable efficient services particularly in public utilities. The citizenry has no assurances of living under the adequate system. Public-Grievance-Redressal-Mechanisms are weak. Citizen Charters and Institutions of Charter Ombudsman have not taken off.”*(Para 2.17.2). Though a powerful citizen empowering legislation RTI Act 2005 has already come into effect and become a part of the system since then, the overall alienated and alienating profile of the country’s executive has not changed for better.

Failure in implementing RTI Act: For obvious reasons Orissa’s ruling elite as it is embroiled in corruption and infamous for misfeasance on every front, has tried its utmost to stall the proper implementation of RTI Act in the State. Deliberately overriding the inviolable directives of the RTI Act 2005, which is a law made by the Parliament under the residual power of the Central List of the Constitution, the Orissa RTI Rules 2005 has practically debilitated a common man to apply for information under the Act by way of compelling him to fill up a compulsory, lengthy 11 Column Application Form, attaching a copy of voter’s card as a proof of citizenship identity and depositing the application fee by hand or through treasury challan, whereas neither Centre nor any other State has imposed any such rigorous mode for making an application for information under the Act. Besides, here in Orissa where stark poverty is the fate of millions of its people, the BPL persons are being asked to pay all the fees towards the cost of information, whereas the Centre and other States strictly following the Act have exempted the BPL persons from all kinds of fees. As per Section 25(5) of RTI Act, the concerned Information Commission is authorized to recommend amendment to any deviation from law to the public authority concerned. But here in Orissa, the Commission not only refrains from making any such recommendation but also has usurped all the financial and executive functions of the State in respect of implementing RTI Act and has neglected its own prime obligation of delivering proper and quick justice to the aggrieved complainants and appellants. Thus even after 5 years of RTI Act, it seems to have hardly begun in the State of Orissa, especially so far its overwhelming bulk of tribal and BPL population is concerned.

Orissa Excise Scenario- A list of the 10 most notorious of liquor tragedies that took place in last two decades in Orissa is mentioned in the website of the Orissa Excise Dept as follows-

- 1989 Nilgiri Liquor Tragedy causing 14 deaths in the district of Balasore
- 1990 Bhadrak Liquor Tragedy causing 17 deaths
- 1992 Cuttack Liquor Tragedy where 134 were officially dead
- 1994 Purushottampur Liquor Tragedy in Ganjam district where 4 deaths occurred
- 1996 Charampa Liquor Tragedy in Bhadrak district causing 2 deaths
- 2001 Liquor Tragedy in both Puri and Khurda districts, where 10 persons died in each district

- 2006 Liquor Tragedy in Rambha and Goabandha areas of Ganjam district where a total of 29 persons died and several times this number were permanently disabled
- 2009 Badapokharia in Khurda district where 4 persons died
- 2009 Gandapalli and Mundapalli in Bolangir district, where 7 persons died
- 2010 Salepur area in Cuttack district where 2 persons died

(Source: Website of Orissa Excise Dept <http://orissa.gov.in/excise/index.htm>)

The above official figures are much less than the actual figures and moreover the number of persons who survived the tragedy but were debilitated and disabled for the whole life were many times that of the persons deceased. But the said website does not contain any information about them or about the ultimate ruination of their families. The Justice P.K.Patra Commission of Enquiry Report (March 2008) that dealt with Ganjam Liquor Tragedy of March 2006 frankly admitted that several Commissions of Enquiry held on each liquor tragedies in the past had “*submitted their reports to the Government suggesting various measures for prevention of liquor tragedy in the State of Orissa, but to no effect*”. (Para-48)

As a matter of fact, Justice Patra pleaded for implementation of Prohibition under Article-47 of the Constitution by the Government of Orissa like the Government of Gujurat. The Article 47 mentions inter alia, “. . . *the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.*’ Addressing the Government of Orissa, Justice Patra preemptively argued, “*When Prohibition will be brought about in your State, the State Government may lose the excise revenue amounting to more than rupees three thousand and five hundred crores. Hence, the State Government will have to find out alternative resources to make good the loss which may not be a difficult task if the policy of Gujurat Government in that regard is followed*”. But as a matter of fact, the present Government of Orissa neither cares for the Article 47 of the Constitution nor honours the recommendation given by a Commissions of Enquiry constituted by it. Rather, its drive to expand the liquor trade through both private licensees and Government agency called ‘Orissa Bear Nigam’ has been running in full swing as before.

The Objective of the State Excise Dept as stated in the Departmental websites completely ignores the perspective of health and wellbeing emphasised by the Constitution and gives primacy to the liquor trade as a source of increased revenue earning. It is worth quoting the said objective- “*Excise Department was carved out as a separate Department with effect from 01.12.1999 from Revenue and Excise Department. Excise Department is basically a revenue earning Department of the State which enforces the State Excise Laws*”. Further, it says, “*The main source of Excise Revenue in the State is Excise Duty on India Made Foreign Liquor (IMFL), Beer and Country Spirit and the consideration money (Licence Fee)*”.

It is ironical that while most of the Departments of the State dealing with development and social welfare are great laggards in respect of achieving the projected targets at the end of a financial year, it is only the Excise Department which is found to be overreaching the targets in recent years. The following Table bears out the above fact-

Year	Target (Rs in crore)	Achieved	% increase
2003-04	300	326	4.3
2004-05	290.16	380.46	19.45
2005-06	400	475.50	26.94
2006-07	490	540.55	10.51
2007-08	553.70	647	22.01
2008-09	610	826.12	26

Needless to say, expansion of liquor trade into the nook and corner of the state has caused severe havoc to the social environment, economic position, family peace, road traffic and above all law and order situation across the state. It has also further degraded the political sphere of the state. However, neither the Central Government nor any State including Orissa has made a cost-benefit study of the State sponsored liquor trade. To be precise, the whole society ought to know how much revenue the State earns from the liquor trade and how much negative impact in terms of health hazards, economic and employment loss, social disturbance, loss of family peace, accidents in roads and workplaces and above all further degradation of political culture the society as a whole suffers from as a consequence of unbridled liquored trade.

Another alarming issue is the expansion by the Government of both brewery units and sale outlets (both Off and On shops) of all sorts of liquor like foreign liquor, country spirit and Mahua liquor in all the 21 Scheduled Areas of the State, whereas the power to control the liquor trade in Scheduled Areas has been given to Gram Sabha by PESA (Provisions for Panchayat Extension to Schedules Areas) 1996. By encouraging Mahua Out-still Shops (Bhati) to come up everywhere including the scheduled areas, the current excise policy of the State is causing a slow but sure process of all round ruination of the tribal life. On the one hand the State Government keeps on propagating that they have given freedom to brew Mahua liquor by the families in scheduled areas for consumption, but not for sale (*for instance vide Para-29 of Orissa Excise Policy for 2010-11 (http://203.193.146.66/excise/download/Excise_Policy_2010-11.pdf)*), there is a constant drive by the excise officials, who at the instigation by the Bhatiwalas, raid, arrest and jail those innocent tribal men and women who, as per their centuries old tradition, might be brewing Mahua liquor for their personal consumption. There is an imperative need to undertake a survey as to how many poor and innocent tribals are languishing in various prisons for years together across the state simply on the false and flimsy charge of liquor trading. Above all, the Orissa Bihar and Excise Act 1915, which was designed by the colonial rulers to harvest super-profits from the business of liquor, still rules the roost even after 63 years of Independence.

Fiasco in Devolution of Powers to PRIs- Lamenting the absence of devolution of powers to PRIs in Orissa, the Report of Second State Finance Commission, Orissa observed, *“The mandate assigned by the 73rd amendment of the Constitution to endow the Panchayati Raj Institutions with such powers and authority as may be necessary to enable them to function as institutions of self – government, has so far remained in letter only, cited conveniently while talking about decentralization of power and forgotten quickly once the discussion is over. Real empowerment of the Panchayati Raj System is not possible unless the PRIs are strengthened with the support of appropriate functionaries at different levels”.* (**Para 4.37 Report of Second State Finance Commission, 2004**). Then the Commission showed in a tabular form how the 29 subjects of Eleventh Schedule, which should have by now been transferred to PRIs in keeping with the mandate of 73rd Constitution Amendment are still administered by an official hierarchy remaining under the control of State Government-

Table: Orissa Status of administration of 29 Subjects earmarked for PRIs in 11th Schedule of the Constitution

Item	Concerned State Government Department	Officials in charge of Different Functions at the Different Levels of P.R.Is		
		Z.P.	P.S.	G.P.
1. Agriculture including agriculture extension	i. Agriculture	I. Deputy Director, Agriculture ii. D.A.O. iii. Range Horticulturist iv. Horticulturist	i. Junior Agriculture Officer ii. Horticultural Supervisor/ Horticultural Assistant	i. V.A.W ii. Soil Conservation Section Officer
2. Land Improvement, implementation of land reforms, land consolidation and soil conservation	ii. Co-operation i. Revenue	v. D.R.C.S/ARCS I Collector/ A.D.M. (Rev.)	iii. Inspector Co-operative Societies i. Tahsildar	iii. Pry. Co-Operatives i. R.I.
3. Minor Irrigation Water Management & Water Development	i. Water Resources ii. Agriculture	i. E.E, Minor Irrigation ii. Soil Conservation Officer iii. Deputy Director, Agrl. iv. D.A.O. v. Horticulturist CDVO	i. Assistant Engineer, M.I. ii. Junior Engineer, M.I. iii. Soil conservation Asst. iv. Junior Agrl. Officer v. Horticultural Asst. V.A.S	i. V.A.W. ii. Junior Engineer iii. Soil Conservation Sectional Officer
4. Animal Husbandry, Dairying and Poultry	Fisheries and Animal Resources Development			Livestock Inspector
5. Fisheries	Fisheries & Animal Resources Development	District Fisheries Officer / Asst. Director, Fisheries	ii. Dairy Extn. Officer iii. Poultry Extn. Officer i. Fisheries Extn. Officer	-
6. Social Forestry & Farm Forestry	Forest & Environment	i. DFO (Social Forestry)	i. Forest Ranger	i. Forester

7. Minor Forest Produce	Forest & Environment	ii. D.F.O. (T) D.F.O. (T)	ii. Forest Extn. Officer i. Forest Ranger	ii. Forest Guard i. Forester
8. Small Scale Industries including Food Processing Industries	Industries	G.M / P.M / D.I.C	ii. Forester i. I.P.O.	ii. Forest Guard
9. Khadi, Village and Cottage Industries	Industries	G.M / P.M / D.I.C	i. I.P.O.	-
10. Rural Housing	Housing & U.D. (Rural Housing)	Collector	i. B.D.O. ii. Asst. Engineer	-
11. Drinking Water	Rural Development	E.E., RWSS	i. A.E, RWSS ii. J.E., RWSS	-
12. Fuel & Fodder	i. Forest ii. F.A.R.D iii. Food Supplies Consumer Welfare Deptt.	i. D.F.O. (T) ii. C.D.V.O. iii. C.S.O.	i. Forest Ranger ii. Forester iii. V.A.S.	
13. Road, Culvert, Bridges, Ferries, Water Ways and other means of Communication	Works ii. Rural Development	E.E. (R & B) E.E (R.W)	iv. Inspector Civil Supplies A.E (R & B) AE (R.W)	-
14. Rural Electrification including distribution of Electricity	Energy	i. E.E, GRIDCO ii. Executive, Concerned Distribution Agency	J.E (R & B) J.E (R.W) i.A.E., GRIDCO ii.A.E., Distribution Agency	Junior Engineer, Distribution Agency
15. Non-Conventional energy sources	Science & Technology Deptt.	i. P.D., DRDA ii. Asst. Engineer, OREDA	-	-
16. Poverty Alleviation Programme	Panchyati Raj	P.D., DRDA	i. B.D.O. ii. Extension Officers	V.L.W
17. Education including Primary and Secondary Schools	School & Mass Education ii. S.T. & S.C. Development.	i. Circle Inspector ii. D.I. of Schools iii. D.W.O.	i. S.I. of Schools ii. Welfare Extn. Officer	i. Primary School Teachers ii. Shevashram Teachers
18. Technical Training and Vocational Education	i. Industries ii. School and Mass Education	i. Principal of the I.T.I./Polytechnic ii. Circle Inspector of Schools iii. Head of Industrial Training Centres	-	-
19. Adult and Non-formal Education	School & Mass Education ii. Tourism &	i. Zilla Swakhyarata Samiti ii. District Cultural	i. Organiser, Total Literacy Campaign ii. Organiser, Post-	

20. Literacies	Culture i. I & P.R. ii. Tourism & Culture	Officer i. DIPRO ii. District Cultural Officer	Literacy Campaign i. Sub-Divisional I.P.R.O.	
21. Cultural Activities	i. I & P.R. ii. Tourism & Culture	i. DIPRO ii. District Culture Officer	i. Subdivisional I.P.R.O -	- -
22. Markets and Fairs	i. Panchayati Raj ii. Co-operation	i. Collector	i. B.D.O.	V.L.W.
23. Health and sanitation including Hospitals, Primary Health Centres and Dispensaries	i. Health & F.W.	i. C.D.M.O. ii. Inspector, Ayurved iii. Inspector, Homoeopathy	ii. Secretary, R.M.C i. M.O, PHC Addl. PHC/ Hospitals/ Dispensaries / Ayurvedic / Homoeopathic Dispensaries ii. Health Education and Extension Officer iii. Food Inspector iv. Block Extension Educator v. Sanitary Inspector M.O (PHC / Addl. PHC etc.)	i. Multi-Purpose Health Worker ii. ANM ANM
24. Family Welfare	i. Health & F.W.	i. CDMO	i. C.D.P.O.	ANM
25. Women & Child Development	Women & Child Development	i. DSWO	i. C.D.P.O. ii. Social Education Organiser	i. VLW (L) ii. Anganwadi Workers VLW
26. Social Welfare including Welfare of the handicapped and mentally retarded	Women & Child Development	i. DSWO	i. Social Education Organiser	VLW
27. Welfare of the Weaker Sections and in particular of the S.Cs and The S.Ts.	Minorities and Backward Classes Welfare	District Welfare Officer	Welfare Extension Officer	V.L.W.
28. Public Distribution System	Food Supplies & Consumer Welfare	C.S.O.	Inspector of Civil Supplies	-
29. Maintenance of Community assets	Revenue	Collector/A.D.M.	i. Tahasildars ii. B.D.O.	i. Revenue Inspectors ii. VLW

Source: Report of 2nd State Finance Commission, 2004

Then the Commission concludes, *“Thus, out of 37 departments of the State Government, 21 departments are directly connected with one or more of the activities enumerated in the eleventh schedule and some of them are also jointly connected with one or more activities. The District level (Z.P.), P.S level and G.P. level functionaries shown in column numbers 3,4 and 5 respectively are only broad indicators, as comprehensive details of all the existing posts and their nomenclature are not available with the Commission. Some of these functionaries discharge other functions also in addition to the functions shown in column No.1. Hence, it is not possible to delineate the functionaries exclusively along the line of functions enumerated under the Eleventh Schedule. But the irony is that though more than a decade has passed since the amendments to the Constitution, none of the concerned departments of government have given yet any effective controlling power to any of the PRIs with regard to any of the functionaries. Not a single functionary is placed under the direct control of any PRI. In such a situation it is ridiculous to lament that the PRIs are not capable of rising to the desired level of self-governance when they have not yet been fully trusted with or handed over with the tools of self-governance”.* (Para 4.38 Report of Second State Finance Commission, 2004)

Devolution of Funds to PRIs –

Besides as per the statement of the Govt of Orissa, the transfer of funds to PRIs has been effected in the following 8 subjects covering 5 Departments.

Table- Transfer of Funds to PRIs in Orissa

Sl.No.	Subjects on which funds transferred	Department	PRIs
	ZILLA PARISHAD		
1.	Sanitation	Rural Development	Z.P
2.	Poverty alleviation	Panchayati Raj	ZP/PS/GP
3.	Adult & Non-formal Education	School & Mass Education	Z.P
	PANCHAYAT SAMITI		
4.	Rural Housing	Panchayati Raj	P.S
5.	Roads-Culverts etc.(KBK)	Panchayati Raj	P.S
6.	Primary Education	School & Mass Education	P.S
7	Social welfare (OAP/ODP/WP etc.)	Women & Child Development	P.S
8	Welfare of weaker sections Stipend for S.C and S.T students.	Scheduled Tribe & Scheduled Caste Development	P.S

(Source: Panchayati Raj Institutions & Achievements under 11th Finance Commission Award - <http://orissagov.nic.in/panchayat/pgs1-36.pdf>)

However, as can be seen from the above Table, not power in general, but the only power to sanction casual leave in respect of some officers of 11 Govt. Departments has been entrusted to the PRI functionaries through the circular by the Chief Secretary dated 04.07. 2003. It is worth noting here the Second Orissa State Finance Commission (2004), which inter alia enquired into this matter had described the above act of devolution as a half-hearted measure carrying no impact on the concerned Departments. The Commission had written letters to 9 Departments to elicit their response on the contents of the said circular. Out of them only 4 Departments responded, and again the Secretary of one Department (Cooperation) had the audacity to inform the Commission that there existed no statutory provision under Orissa Cooperative Societies Act, 1962 for involvement of PRIs through their President, Chairman or Sarpanch as the case may be in their departmental affairs. Other 3 Departments in their reply to the Commission merely informed that they had instructed the subordinate officials about the contents of the circular. In the words of Commission, *“Thus the response from the Departments is discouraging, both in measure and content and quite away from the spirit of devolution enunciated in the 11th and 12th Schedules of the Constitution. The Commission urge upon the Government to look into this seriously and take steps to make the Chief Secretary’s circular operational”.* (Source: Report of 2nd State Finance Commission, Orissa, 2004).

Orissa Panchayati Raj in the estimation of NCRWC, 2002

The National Commission to Review the Working of the Constitution made a survey of the status and powers of Panchayati Raj institutions functioning in various States across the country with a view to find out whether and how far they serve as institutions of self-government as envisaged in Directive Principles of State Policy of the Constitution. A Consultation Paper appended to the Report of the Commission (2002) has the following observation to make on the state of PRIs in Orissa- *“In Orissa, the gram Panchayats have been assigned with an impressive functions/activities of 43 odd items under obligatory and discretionary lists. But there is no provision for fund or staff to enable them to discharge such functions, thus making their statutory functional domain practically useless. Powers and functions of Orissa’s Panchayat samiti remain unaltered since the sixties and the 11th Schedule does not seem to have any impact upon them. The gram Panchayats and Panchayat samitis of the State have no power to prepare plans for their own areas, even though this right is Constitutionally given to all such institutions”.* [Source: A Consultation Paper on REVIEW OF THE WORKING OF THE CONSTITUTIONAL PROVISIONS FOR DECENTRALIZATION (PANCHAYATS) by NCRWC 2002]

Orissa's Short shrift to PESA 1996 - The Provisions for Panchayat (Extension to Scheduled Areas) Act, 1996 or PESA was enacted by the Parliament to guide the States in respect of their legislative and administrative efforts in extending the provisions of 73rd Constitution Amendment Act, 1992 to the Fifth Schedule Areas covered under Clause (1) of Article 244 of the Constitution. All States, which have 5th Schedule Areas (having preponderant tribal populations) within their geographical boundaries were mandated to reform their existing Panchayati Raj legislations in the light of the provisions of PESA within a year, i.e. by 24th December, 1997. Orissa is a well known home to 62 tribes including 13 primitive tribal groups. While about 9.66% of country's population belong to STs, in Orissa they constitute 22.13% of the State's population. 54.41% of Orissa's total tribal population live in the Scheduled Areas, which constitute 69,614 sq. km out of Orissa's total geographical area of 1,55,707 sq.km. The Scheduled Areas otherwise known as the Tribal Sub-Plan (TSP) areas are spread in 12 districts (7 fully and 5 partially) of the State.

As is well known, Special Powers were conferred on Gram Sabha in Scheduled Areas under PESA) in the following matters-

- Enforcement of prohibition, regulation or restriction of sale and consumption of any intoxicant.
- The ownership of Minor Forest Produce.
- Prevention of alienation of land and restoration of any unlawful land of a Scheduled Tribe.
- Control over the money lending to the Scheduled Tribe.
- Control over all local markets.
- Safeguard of the cultural identity, community resources and dispute resolution.

After the enactment of PESA, Orissa amended the Orissa Gram Panchayat Act, 1964, Orissa Panchayat Samiti Act, 1959 and Orissa Zilla Parishad Act, 1991 in December, 1997. However Orissa's compliance to the letter and spirit of PESA is far short of the actual requirements.

The following Table is the official version of the conferment of special powers to Gram Sabha by Govt of Orissa under PESA 1996.

Provisions of Central Act	Given to which tier of PRIs
1. Section 4(c) and (e) Approve plans, programmes, projects selection of beneficiaries under poverty alleviation programmes, issue of utilisation certificate on funds of Grama Sabha.	Grama Sabha
2. Section 4(i)- No acquisition of land for development projects and for resettling or rehabilitating persons affected by such projects without prior consultation of the Parishad.	Zilla Parishad.
3. Section 4(i) – Management of the Minor Water Bodies.	Zilla Parishad.
4. Section 4(k)(l)- Recommendation prior to issue of prospecting license or mining lease for minor minerals.	Zilla Parishad.
5. (1) Section 4(m)- Enforcement of prohibition or restriction of the sale and consumption of any intoxicant, ownership and Gram Panchayat of Minor Forest Produce, prevention of alienation of land and restoration of any unlawfully alienated land of a Scheduled Tribe, control over money lending to the Scheduled Tribe, management of village market . (2) (a) The Bihar and Orissa Excise Act has been amended giving power to Grama Sabha of executive control over in toxicants. (b) 68 items of MFP have been transferred to Gram Panchayats. The Orissa Grama Panchayat (Minor Forest Produce Administration Rules, 2002 has come into force w. e. f, 15.11.2002.	Grama Sabha.
6. Exercise control and supervision over institutions and functionaries of various sectors in relation to programmes and measures of Government, prepare the local plans including tribal sub-plans for the areas and to exercise control over the resources for such plans.	Panchayat Samiti.
7. To safeguard and preserve the tradition and customs of the people, their cultural identity, community resources and customary mode of dispute resolution consistent with the relevant laws in force and in harmony with basic tenets of the constitution and human rights.	Grama Sabha

Source: Annual Report 2002-03 of Dept of Panchayati Raj, Govt of Orissa

Before proceeding to analyse to what extent the real powers have been transferred to Gram Sabha in Scheduled Areas of Orissa, it is important to remember the key rider given in Section 4(n) of PESA, 1996- *“The State Legislations that may endow Panchayats with powers and authority as may be necessary to enable them to function as institutions of self-government shall contain safeguards to ensure that Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Gram Sabha.”* It means that the powers given to Gram Sabha shouldn’t be diluted or interfered with in any manner. As a matter of fact, the existing Orissa Gram Panchayat Act 1964, which is also applicable to Scheduled Areas, contains several provisions under Chapter-XI (Control), whereby all the bureaucratic authorities from the State level down to Block level continue to exercise administrative control over the Gram Panchayat and Gram Sabha. For instance, Section 114 of the said authorises the Sub-Divisional Officer to *‘rescind, modify or confirm any resolution or order passed or made by the Grama Panchayat’*. Now coming specifically to the Government claim that they have conferred certain powers to Gram Sabha under PESA, let’s see how far this claim is genuine.

As regards the PESA’s mandate for transferring power relating to ‘sale and consumption of intoxicants’, the Government of Orissa claims to have complied with it by amending Bihar and

Orissa Excise Act 1915 in 1999 by way of adding Section-26-A that says, *'the authority competent to grant license' for manufacture, possession or sale, or exclusive privilege for the same shall continue to rest on the Excise Department as before, but the said authority shall have to obtain 'the concurrence of Grama Sasan' before granting the license. On a reference by the competent authority to Grama Panchayat for obtaining such concurrence, the Grama Panchayat shall accord its decision within 30 days of the reference so made, failing which it shall be deemed that the GP has accorded its approval in favour of the proposal for license*". It simply means if a GP somehow fails to submit its opinion within 30 days of the notice so served to it, it can't raise any objection against the license issued to a liquor vendor even if the latter is subsequently found to be indulging in criminal activities. Moreover, under this dispensation Gram Sabha is not entitled to any share in the income accruing to the Government on account of liquor trade in a scheduled area.

Another tall claim by Government of Orissa in connection with compliance to PESA is that they have transferred the power over collection and trading of minor forest by way of notifying Orissa Grama Panchayat (Minor Forest Produce Administration) Rules, 2002 in respect of 68 nos. of minor forest produce in both scheduled and non-scheduled areas. But if we read the notification between the lines, it shall be absolutely clear that the only power that has been given to Gram Panchayat under the new dispensation is to register the intending MFP traders on payment of such registration fee as may be determined by the State Government from time to time. But the fixation of MFP prices shall be the prerogative of the concerned Panchayat Samiti. In the event of an MFP trader violating the terms and conditions, the GP may cancel his registration but can't take any further action against him. In such cases, the Sarpanch or Secretary of GP shall lodge a complaint against the concerned trader before the DFO of the area, who has the power to seize the illegally procured MFP from the concerned trader and take any other punitive action against him. It is the DFO again who shall auction off the seized MFP and the proceedings accruing there from shall be deposited, not to Grama Fund, but to the Forest Dept.

It is interesting to note that two successive State Finance Commissions, the Reports of which have been published in 1999 and 2004 were chaired by Dr.Baidyanath Mishra and Mr.Trilochan Kanungo respectively. While neither of the Reports dealt with the issues of substance relating to implementation of PESA in Orissa, only the Report of Second SFC made a minor recommendation for amending Orissa Grama Panchayat (Minor Forest Produce Administration) Rules, 2002, perhaps for the obvious reason that the said Rules related to both Scheduled and Non-Scheduled Areas. The said minor recommendation pleaded for removal of the waiver of the registration fees allowed to Public Sector Undertakings like the OFDC and TRIFED. Further it is strange to notice that Mr.Trilochan Kanungo, Chairman of Second SFC, who has an established image of a strong prohibitionist didn't say a single word on the State Government's policy of unbridled expansion of liquor trade across the State and more among the tribal populations in Scheduled Areas.

Great swindle of Sarva Siksha Abhijan money- The Sarva Siksha Abhijan (Education for All), as the very nomenclature suggests, was a mega programme launched by Govt of India on 16th Nov 2000, that aimed at providing elementary education to all the out-of-school children of 6-14 years in the country by 2010. The milestones of the programme were envisaged as follows:

- Enrolling all children at least into non-formal schools by 2003,
- Enabling all children to complete five years of primary schooling by 2007,
- Enabling all children to complete eight years of elementary schooling by 2010,
- Bridging all gender and social gaps among the children at primary stage by 2007,
- Achieving universal retention by 2010.

This high profile programme was funded by 3 international agencies, World Bank, DFID and European Union. As per the funding pattern, initially Govt. of India and State Govt. were slated to share the expenditure in the ratio of 85:15 during the 9th Five Year Plan upto 2002, 75:25 during 10th Five Year Plan period upto 2007 and 50:50 thereafter upto 2010. However, this pattern was revised in 2007 by the circular of the Central Government (vide F.No.2-40/2004-EE.3, Dt 25th September, 2007), which said, "The funding pattern between the Central Government and States/UTs shall be in the ratio of 65:35 for the first two years of the XIth Plan i.e. 2007-08 and 2008-09; 60:40 for the third year i.e. 2009-10; 55:45 for the fourth year i.e. 2010-11; and 50:50 thereafter i.e. from 2011-12 onwards".

Had this programme been executed successfully, the need for enacting and implementing Right to Education Act 2009 with effect from 1st April 2010 wouldn't have arisen at all.

Like every other State, the SSA is implemented in Orissa by two bodies, namely a Governing Body (Chief Minister as Chairman and State Project Director as Member Secretary) and an Executive Committee (Secretary to Dept of School and Mass Education as Chairman, and State Project Director as Member Secretary).

A few instances of how the SSA funds were misappropriated in Orissa shall reveal the overall trend of its bungling at all India level. An internal audit on the financial management of SSA in Orissa undertaken by the Institute of Public Auditors of India on behalf of the parent Ministry of HRD, GoI in their Report of April 2007 had inter alia pointed out the following-

"There were no progress in respect of 37 works taken up during 2004-06 in which expenditure of Rs.48.81 lakh for execution of earth work was incurred. By the passage of time all these works might have been wiped out and the expenditure proved to be in-fructuous". (Vide Chapter Highlights). "Advance to suppliers include a sum of Rs.50,30,000 advanced to M/s Webel Media Tronics Ltd. Kolkata on 31st March 2004 towards cost of equipments for disabled children & installation charges for which no accounts have been received so far. The position of supply of the equipments or their installations is not known. (Vide Para 4.9 Advances to Suppliers). "A total amount of Rs.51.25 lakh on account of advances was outstanding against 39 persons/ parties/ executants on 31st March 2006. Detailed accounts of these advances have not been received so far. These advances were shown as final expenditure in the cash book though detailed accounts and adjustment vouchers have not been received". (Vide Para 10.2.2 Outstanding Advances)

The premier audit agency of Govt of India, CAG in their Performance Audit of SSA had also noted a dismal state of affairs in respect of this much hyped programme as far back as 2006- *"The objective of SSA was to enroll all out of school children in school, education guarantee centres, alternate schools and back to school camps by 2003. The date was revised to 2005 only in March 2005. However, out of 3.40 crore children (as on 1 April 2001), 1.36 crore (40 per cent) children in the age group of 6-14 years remained out of school as on March 2005 four years after the implementation of the scheme and after having incurred an expenditure of Rs. 11133.57 crore. (Vide Para 7.3.2). The CAG also pointed out then the manner in which the SSA money was swindled away. "Teaching-learning equipment were procured either without assessing the requirement or ensuring availability of infrastructure for their utilisation. 7531 CTVs in Andhra Pradesh purchased under SSA could not be utilized for want of supporting facilities. Some schools where these sets were supplied did not even have electricity.(Para 7.4.10.1). In two districts of Jharkhand, school grant of Rs. 47.88 lakh was released to 2369 schools, which were non-existent. (Paragraph 7.4.11.3). Scheme guidelines with reference to disabled children were not strictly followed.*

In 14 states/UTs, only 5.55 lakh out of 8.87 lakh identified children with special needs were enrolled in schools. Assistive devices were provided to only 21440 out of 83185 children in Karnataka, Maharashtra, Manipur and Orissa. (Paragraph 7.5.2.2)

Indicating the basic reason for the failed implementation of SSA, the CAG Report of 2006 had observed thus, “*Supervision and monitoring of the scheme was ineffective both at the National and State levels. The first meeting of Governing Council under the chairmanship of the Prime Minister was held in February 2005 and that of the Executive Committee under the chairmanship of the HRD Minister in March 2005. In cases where some monitoring was undertaken, monitoring reports were either not submitted or not analysed and follow-up action was not initiated. (Para 7.4.16.5).*

Had the implementing agencies then heeded the warning of C&AG about the financial bungling of SSA funds, the SSA won't have met the disaster which it has in the public perception. The horrible mismanagement of SSA funds has created great anxiety among the citizens of donor countries, so much so that a report published in British media called ‘News of the World’ quoting India’s Auditor General said that much as 70 million pounds out of the money earmarked for the Sarva Shiksha Abhiyan had reportedly vanished, and further, 14 million pounds had been spent on items and luxuries that had nothing to do with schools. “*Cash meant for kids' education has been blown on luxuries. We discovered that officials throughout the country had used it to buy new cars and in one instance aid cash was spent on four luxury beds costing a total of 17,754 pounds as well as 3,803 pounds on a computer,*” the report said. The said report further mentioned that large amounts of money were shown to have been spent on schools that reportedly did not exist, while in some cases air conditioners, faxes, photocopiers and 7,531 colour television sets were reportedly bought despite there being no electricity supplies. The report said that 150,000 pounds was paid into a mystery bank account with no reason given. Moreover, the report maintained that auditors checking the different state accounts found sums up to 4.8 million pounds missing from the books. (*vide 14 June 2010, Deccan Herald*)

As per another estimate, if the total allocated money (Rs 31,036 crore as per the central budget for elementary education 2010-11) were to be disbursed directly to 192 million children (or 19.2 crore children) who officially come under the ambit of SSA, then each student would receive more than Rs 1600 each this year. Considering that a student generally has to pay an average monthly fee of Rs 100 (actually ranges from Rs 70-150 in rural areas) at rural elementary schools in India, giving Rs 1600 annually to students directly would not only enable them to pay the annual fees, but would also result in some extra pocket money! The direct disbursement seems to be a much more rational and fruitful method, when seen in the shadows of corruption and scams.

(Notes prepared by Chitta Behera within 27th Sept to 1st Oct 2010 for a talk by Prof. Bimalendu Mohanty at the meeting of Transparency International at Bhubaneswar on 3rd Oct 2010)